

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KEVIN HEATH COPENHAVER)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2025-00040
NORTH SHELBY WATER COMPANY)	
)	
DEFENDANT)	

ORDER

On February 18, 2025, Kevin Heath Copenhaver, tendered a formal complaint with the Commission against North Shelby Water Company (North Shelby Water), concerning the receipt of bill payments and late notices delivered through the United States Postal Service (USPS) as a result of weather conditions during January, which resulted in late fees for service at 2690 Elmburg Road, Shelbyville, Kentucky 40065.¹

On March 11, 2025, the Commission entered an Order with Commission Staff’s First Request for Information requiring North Shelby Water to respond with information to assist in determining whether the complaint established a *prima facie* case.² North Shelby Water tendered incomplete responses on March 25, 2025.³

¹ Complaint (filed Feb. 18, 2025).

² Order (Ky. PSC Mar. 11, 2025), Appendix A.

³ North Shelby Water’s Response to Commission Staff’s First Request for Information (Staff’s First Request) (filed Mar. 25, 2025).

On April 14, 2025, Commission Staff's Second Request for Information was issued to North Shelby Water for information concerning the date bills are sent and the assessment of late fees essential to determining whether the complaint establishes a *prima facie* case, given that the utility, not the customer, possesses the necessary information.⁴

On May 19, 2025, the Commission entered an Order for North Shelby Water to respond within seven days to Staff's First Request and Staff's Second Request, in addition to filing a written response within ten days to show cause as to why it should not be subject to penalties under KRS 278.990 for failure to comply with the Commission's previous Order.⁵

On May 22, 2025, counsel on behalf of North Shelby Water filed a completed response to Staff's First Request, but an incomplete response to Staff's Second Request.⁶ To date the Commission has received no written response to show cause as to why North Shelby Water should not be subject to penalties for failure to comply with the Commission's previous two Orders.

On July 14, 2025, the Commission Staff issued a notice of an informal conference to take place on June 23, 2025.⁷ During the informal conference, North Shelby Water agreed to provide copies of bills and late notices from January through the current billing

⁴ Commission Staff's Second Request for Information (Staff's Second Request) (filed Apr. 14, 2025).

⁵ Order (Ky. PSC May 19, 2025).

⁶ North Shelby Water's Response to Staff's First Request and Staff's Second Request (filed May 22, 2025).

⁷ Commission Staff's Notice of Informal Conference (issued July 14, 2025).

cycle for services at Mr. Copenhaver's address on June 23, 2025.⁸ Upon review of the information provided, the Commission found there was sufficient evidence North Shelby Water has been incorrectly assessing penalties to Mr. Copenhaver's account in accordance with KRS 278.014(2) and 807 KAR 5:006, Section 9(3)(h)(3).

On September 5, 2025, the Commission entered an Order for North Shelby Water to satisfy the matters complained of or file a written answer to the complaint.⁹ North Shelby Water tendered a response on September 15, 2025.¹⁰ North Shelby Water determined that Mr. Copenhaver should have to pay the initial late fee penalty from January 2025.¹¹ In addition, North Shelby Water agreed that the additional late payment charges should not be assessed on unpaid late fees.¹² North Shelby Water stated the additional late payment charges from Mr. Copenhaver's account would be removed¹³, and filed an affidavit on September 30, 2025, stating that all late fees except the original late fee had been credited back to Mr. Copenhaver.¹⁴

Based on the information provided, the Commission finds that North Shelby Water has complied with the Commission's Order to satisfy the complaint. Therefore, the Commission finds that Mr. Copenhaver's complaint should be dismissed as satisfied, and this case closed.

⁸ Notice of Filing of Informal Conference Memo and Attendance List (filed July 25, 2025).

⁹ Order (Ky. PSC Sept. 5, 2025).

¹⁰ North Shelby Water's Answer to Complaint (North Shelby Water's Answer) (filed Sept. 15, 2025).

¹¹ North Shelby Water's Answer at 1, paragraph 1.

¹² North Shelby Water's Answer at 1, paragraph 2.

¹³ North Shelby Water's Answer at 2, paragraph 2.

¹⁴ North Shelby Water's Affidavit Regarding Complainant Late Fees (filed Sept. 30, 2025), paragraph 5.


IT IS THEREFORE ORDERED that:


1. Mr. Copenhaver's complaint shall be dismissed as satisfied and removed from the Commission's docket.


2. A copy of this Order shall be served by U.S. Postal Service, First-Class Mail, on Kevin Heath Copenhaver by at 2690 Elmburg Road, Shelbyville, Kentucky 40065.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director

ENTERED
OCT 10 2025
KENTUCKY PUBLIC^{AB}
SERVICE COMMISSION

*Kevin Copenhaver
2690 Elmburg Road
Shelbyville, KY 40065

*Nathan T Riggs
Riggs, Prather, Ratliff & Bullock, PSC
500 Main Street, Suite 5
Shelbyville,

*David Hedges
North Shelby Water Company
4596 Bagdad Road
P. O. Box 97
Bagdad, KY 40003

*North Shelby Water Company
4596 Bagdad Road
P. O. Box 97
Bagdad, KY 40003

*Tara Peyton
Office Manager
North Shelby Water Company
4596 Bagdad Road
P. O. Box 97
Bagdad, KY 40003